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franchises should [not] be denied effect by the courts, if the fact of misuser or nonuser be shown," while it overlooks Marshall's invocation of the principle of the separation of powers in an analogous matter, is also important; and the same must be said of his remarks on the subject of "consideration" (pp. 106-107), a topic to which he had designed to devote an entire chapter. The examination of the views of James Wilson, the reputed framer of the obligation of contracts clause (pp. 115-116), would have been strengthened by recourse to his opinion in *Chisholm v. Georgia*.

Dr. Hunting has left us a study demanding the serious attention of students of American constitutional law. Many of the questions which it raises probe very deep. The answers which it returns to these questions, if open to challenge, are for that very reason provocative of thought. Both questions and answers reveal a mind of unusual penetration and independence, the loss of which to the profession must be cause for deep regret. This volume is worthy of its place in the distinguished series in which it appears.

EDWARD S. CORWIN.

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The National Government of the United States. By EVERETT KIMBALL, Ph.D. (Boston: Ginn and Company. Pp. v, 629. Appendix.)

Because it is the newest book upon the subject as well as the only first-rate college text of recent date dealing exclusively with the national government, Professor Kimball's work has been received with more than usual interest by those engaged in the study and the teaching of American government. The expectations to which its announcement gave rise have been fully realized, and its quality and character undoubtedly will gain for it not only a wide use in the class room, but also a permanent place as one of the standard works of reference upon the subject. It is peculiarly well adapted for both purposes, and perhaps its distinguishing characteristic is that it combines successfully the qualities of a workable textbook with those of a treatise.

Professor Kimball frankly describes the government from the constitutional viewpoint. "I have endeavored to show the historical origins and the development of our national political institutions and to present an adequate picture of the actual workings of the government," he writes. "But I also have attempted never to lose sight of the

fact that the Constitution is the supreme law of the land, and its interpretation by the Supreme Court is, until altered, authoritative. The important fact is emphasized that in all phases of our national life the government is a government of law." The frequent and at times extended quotation from the opinions of the Supreme Court is declared to give the book "a two-fold character, that of a textbook in which institutions are described and analyzed, and that of a source book in which appear the actual words used by the court in expounding or limiting the powers of the government."

In the author's hands this method has produced a book which has not been surpassed in the presentation of the fundamental facts concerning the government of the United States. The student who masters its contents will have acquired a grip upon the essential principles of our national political system which will give him a firm foundation for subsequent political thought and action. He also will have gained a practical understanding of the actual processes of the government and the politics of the nation; for Professor Kimball has turned to the Supreme Court to find out what the government actually is rather than for an exposition of what it ought to be, and in addition he has presented an adequate description of the political as contrasted with the purely legal aspects of our institutions. There are no better chapters in the book than the two entitled "Congress at Work," and none better anywhere upon this subject.

The book is arranged along conventional lines. The first four chapters give the constitutional background, one, two and three being historical and four expounding fundamental constitutional principles. Political issues and parties are described and discussed in the two following chapters, after which ten chapters are devoted to an account of the organization and functions of the three great departments. This part of the book is about equal in volume to the entire space devoted to the national government in most of the other standard texts (Kimball pp. 423, Bryce 410, Beard 437, Munro 387). The remaining six chapters treat of the war powers of Congress, finance, the regulation of commerce, the federal police power, foreign affairs, and the government of territories. The Constitution is printed as an appendix and there is an excellent index.

From the standpoint of thoroughness and completeness Professor Kimball has left little to be desired. Few questions connected with the national government have escaped consideration. Occasionally one would wish for fuller discussion, as in the case of citizenship or of

presidential primaries. In general, too, it may be said that more attention has been paid to the organization and powers than to the actual operation of the various parts of the government, although it is not intended to imply that the latter phase of the work is inadequate. The chapters on the war powers, the regulation of commerce, the national police power, and, in lesser degree, that on finance, would not be out of place in a treatise on the constitutional law of these vital subjects.

This book is singularly free from the minor errors which sometimes mar an otherwise excellent work. The quotation, "take care that the laws be faithfully enforced," (p. 59) is the sort of a slip that is particularly hard to detect once it has crept into a manuscript. The number of Republican votes required to entitle a congressional district to its second delegate in the Republican national convention (p. 158) is 7,500, instead of 7,000. There are those who would question the "absolute accuracy" of referring to "a citizen of the United States and the resident of a state" (p. 76). But there are few instances in which those who use this text will have to correct it. Clarity rather than brilliancy marks Professor Kimball's style, and on the whole the book and the several chapters possess unity in satisfactory degree. An exception, perhaps, is the treatment of the election of the President, particularly in connection with the composition of the national conventions (pp. 152, 156, 158). The nature of these criticisms, however, simply emphasizes the excellence of the production. As a text and as a treatise this book is assured of a permanent place in the literature of American government.

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The Foreign Service: Report on. By the Committee on Foreign Service of the National Civil Service Reform League. (New York: 8 West 40th Street. 1919. Pp. 322.)

This report is the result of a most searching investigation both abroad and in this country concerning the foreign service of the United States. Senators, congressmen, officials of the departments of state and of commerce, members of the diplomatic and consular branches of the service, and others were called on for information and suggestions. The committee engaged in this survey was composed of Ellery C. Stowell, Chairman, Richard H. Dana, George T. Keyes, Ogden H. Hammond, Ansley Wilcox, and H. W. Marsh, secretary.